

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ALLEN JAMES KACZOROWSKI,

Petitioner,

v.

CASE NO: 07-CV-11290-DT

MILLICENT WARREN,

Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND DENYING PETITIONER'S MOTION TO ENFORCE OR MODIFY THE COURT'S
CONDITIONAL WRIT OF HABEAS CORPUS**

This matter is before the Court on Petitioner Allen Kaczorowski's "Motion to Enforce or Modify the Court's Conditional Writ of Habeas Corpus". This matter was referred to United States Magistrate Judge Paul J. Komives pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72.1. In his report, the Magistrate Judge recommended that this court deny the motion. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C); thus further appeal rights are waived.¹

Having reviewed the file and the Report, the court concludes that the findings and conclusions of the magistrate judge are correct and ADOPTS the same for purposes of this Order.

Accordingly, IT IS ORDERED that, for the reasons set forth in the magistrate judge's Report and Recommendation, the Motion to Enforce or Modify the Court's Conditional Writ of Habeas Corpus is DENIED.

¹ The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 15, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 15, 2008, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522